

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. CR419-069
)	
GILBERT BASALDUA, JOSEPH PASCUA,)	
and JUAN MARTINEZ,)	
)	
Defendants.)	
)	

O R D E R

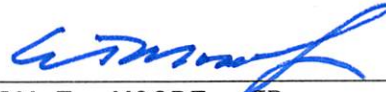
Before the Court is the Government's Motion to Dismiss Without Prejudice (Doc. 252) and Defendant Basaldua's Motion to Dismiss Indictment (Doc. 257). For the following reasons, Government's Motion to Dismiss Without Prejudice (Doc. 252) is **GRANTED** and Defendant Basaldua's Motion to Dismiss Indictment (Doc. 257) is **DISMISSED AS MOOT**.

In its motion to dismiss, the Government seeks leave of this Court to dismiss the indictments returned by the grand jury on May 8, 2019 and November 7, 2019 against Defendants Basaldua, Pascua, and Martinez pursuant to Federal Rule of Criminal Procedure 48(a). (Doc. 252 at 8.) Defendant Basaldua moves to dismiss the Government's new indictment against him "until after the Court's ruling on the Government's Motion to Dismiss" the current indictment. (Doc. 257 at 2.)

Pursuant to Federal Rule of Criminal Procedure 48(a), "[t]he government may, with leave of court, dismiss an

indictment." After careful consideration, the Government's motion (Doc. 252) is **GRANTED** and the indictment of Defendants Basaldua, Pascua, and Martinez returned by the grand jury on May 8, 2019 and November 7, 2019 are **DISMISSED WITHOUT PREJUDICE**. As a result, Defendant Basaldua's Motion to Dismiss (Doc. 257) is **DISMISSED AS MOOT**.

SO ORDERED this 3rd day of September 2020.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA